

REMARKS

Reconsideration of the Application is requested.

Claim Rejections - 35 USC § 103

"Claims 1-5 and 8-9, 11-18 are rejected under 35 USC 103(a) as being unpatentable over Teres et al US Patent No. 6,184,871 in view of Olsen et al US Patent No. 6,137,479.

Applicant's Response - Claim 1

Claim 1 has been amended in order to introduce the feature of former claim 6, which has been canceled.

Amended claim 1 comprises features of claim 1 and former claim 6. The rejections are based on the 3 references by Teres, Olsen and Ferrari. Please note that Teres discloses a device, such as a wristwatch, comprising a recognition device for recognizing characters drawn manually on the glass of the watch; Olsen discloses a programmable computer device which can be combined with a watch; and Ferrari discloses a touch pad providing screen cursor movement control.

Although Teres and Olsen have in common the wristwatch application, Teres and Ferrari have no common goal. Therefore, it is not obvious that one skilled in the art would consider Ferrari's teaching in view of Teres. Further, means for detecting the speed of a user's finger or means for detecting the actuation of successive sensors is neither disclosed nor suggested in Teres or Olsen.

The rejection lacks proper motivation for combining of the references, and as such the combination would be non-obvious to the skilled practitioner. The courts have held that the prior art must suggest to one skilled in the art to make the claimed device; that the prior art must reveal that in so making one would have reasonable expectation of success; and that both the suggestion and the reasonable expectation of success must be founded in the prior art and not in the Applicant's disclosure. In re Vaack, 20 USPQ2d, 1438, 1442 (Fed.Cir. 1991)

Applicant's Response - Claim 10

Claim 10 has been amended, and now comprises all features of former claims 1, 9 and 10. For the same reasons, the arguments based on the references to Teres, Olsen and

Ferrari suffer from a lack of proper motivation.

Applicant's Response - Claim 13

Claim 13 has been amended, and comprises all features of former claims 1, 11 and 13.

Although Teres discloses a capacitive sensor supported by the outer element and located in the central region thereof, there is no disclosure or even suggestion to use this central capacitive sensor as second control means for selecting an object shown on said screen or carrying out a command relating to said object.

Moreover, one skilled in the art considering Teres in view of Olsen may add second control means for selecting an object on said screen, but these second control means will be those disclosed in Olsen which are push button (see fig. 2, reference 28) or keys (see reference 64, col. 5, lines 41-42). Then the combination of Teres in view of Olsen does not disclose the subject matter of claim 13.

Claim Rejections - 35 USC § 103

"Claims 6, 7 and 10 are rejected under 35 USC 103(a) as being unpatentable over Teres et al US Patent No. 6,184,871 in view of Olsen et al US Patent No. 6,137,479, and further in view of Ferrari et al. US Patent No. 6,392,636.

Applicant's Response


Claim 6 has been cancelled. Claims 7 and 10 have been amended.

Conclusion

In view of the above, Applicant respectfully requests that this amendment be entered and the claims be allowed so that a patent may issue.

Respectfully submitted,

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